Senate Seeking Compromise on ITT Testimony

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Senate Republicans yesterday launched an effort for a compromise way of averting a head-on clash between Congress and the White House over "executive privilege" and of saving the jeopardized nomination of Richard G. Kleindienst as Attorney General.

Sen. Charles McC. Mathias (R-Md.) said the Nixon administraton, at his urging, was weighing alternative ways that White House aide Peter M. Flanigan could meet with the Senate Judiciary Committee to discuss his role in an antitrust settlement without actually answering a subpoena.

Democrats on the committee, after they failed in their efforts to subpoena Flanigan this week, threatened that his appearance at a public hearing could become the price for approval of Kleindienst.

They want to quiz Flanigan extensively on the instructions he gave to New York investment banker Richard J. Ramsden, who prepared a report that was a factor in the Justice Department's decision to settle three antitrust cases against the International Telephone and Telegraph Corp.

The Democrats stuck firmly to that position yesterday, despite Mathias' push for a compromise.

The Maryland Republican, who has thus far only reluctantly sided with his party colleagues on the Kleindienst nomination, suggested that Flanigan could meet with the senators on neutral ground away from Capitol Hill or appear in a regular public hearing to answer a limited list of questions agreed upon in advance.

Mathias noted the "useful precedent" set recently when Henry Kissinger, President Nixon's national security adviser, met with members of the Senate Foreign Relations Committee at Taylor House along Lafayette Square.

The White House repeatedly has invoked executive privilege on Kissinger's behalf to block his testimony before Congress on Vietnam war policy and other controversial issues.

It would be useful to reach a compromise, Mathias said, to prevent the fight over executive privilege from hurting "innocent bystanders," such as Kleindienst and the Republican Party.

He said he had voted with other Republicans Wednesday against subpoenaing Flanigan, because once the White House aide refuses to respond, the next step would be a vote on whether to issue a contempt-of-Congress citation for Flanigan.

"Then you would have the (Senate) sergeant-at-arms chasing him down on the White House lawn" in an effort to serve the citation, Mathias said.

Mathias was the only Republican on the committee to spend a substantial period of time in the hearing room yesterday, as the reopened hearings on the Kleindienst nomination went into their 16th day.

The White House, in the meantime, denied as "incorrect" a report that Mr. Nixon has begun considering alternate candidates to replace Kleindienst as the nominee for the Cabinet post vacated March 1 by John N. Mitchell.

The only witness to testify yesterday was John F. Ryan, deputy director of ITT's Washington office, who persuaded Kleindienst to meet with ITT director Felix G. Rohatyn and hear the corporation's argument of "financial hardship" in favor of settling the antitrust cases.

Ryan acknowledged that ITT lobbyist Dita D. Beard "never denied" to him or other officials in the local office that she wrote a memorandum, published by column-

ist Jack Anderson, which linked the antitrust settlement to ITT's pledge of at least $200,000 to help bring the Republican National Convention to San Diego.

The deputy director also recalled that he picked up Rohatyn at National Airport and drove him to the Justice Department for his first meeting with Kleindienst last April 20.

Rohatyn previously testified, however, that he does not know Ryan.

Ryan stirred the anger of Democrats on the committee with his inability to remember details of a suburban party last spring during which he first approached Kleindienst about the "financial hardship" question.

"Oh, c'mon now, Mr. Ryan," said Sen. Edward M. Kennedy (D-Mass.) at one point, "you've really been enormously evasive."

Sen. John V. Tunney (D-Calif.) complained that "I don't know how many times you've said, 'I don't recall, but it must be a couple hundred."

In another development yesterday, Mrs. Beard agreed to be re-examined by two heart specialists in Denver to see whether she is well enough to return to Washington to testify.

The committee requested the new examinations, after Kennedy revealed that the osteopathic physician treating Mrs. Beard in Denver is under investigation for alleged Medicare frauds.

That doctor, Louis M. Radetsky, warned yesterday that "she'll have a heart attack if she goes." He suggested that it might be acceptable for members of the committee to return to Denver to question her further.

The senators appeared reluctant to follow that course, however, after Mrs. Beard collapsed with a heart seizure during hospital-room testimony on March 26. Radetsky had previously said that she could not testify again under any circumstances for at least six months.

Nixon Favored Midwest; Not San Diego—Dole

Sen. Bob Dole (R-Kans.), chairman of the Republican National Committee, revealed last night that President Nixon preferred a Midwestern city to San Diego as the site for this year's GOP convention.

Interviewed on "Thirty Minutes With . . ." (NET, WETA), Dole said he "checked out Kansas City, Mo., quietly for the President" and also considered Chicago as a convention site.

But he added that when the site selection committee boiled the options down to San Diego or Miami, Mr. Nixon told him, "Well, what ever decision you make is fine with me.

Dole claimed that the initiative for San Diego came not from the President, as previously reported, but from "some eager California political types," including Lt. Gov. Ed Reinecke, White House aide Robert Finch and Rep. Bob Wilson, a Republican from San Diego.